

*Prisoners come back with film smuggled from Cuban jail*

## ***PICTURES SHOT AT THE RISK***



# OF DEATH

With compassion the U.S. purchased freedom for the men captured at the Bay of Pigs. One of them, a returning prisoner, brought out this photographic record of prison which we here publish exclusively.

This man, whose identity must be kept secret to protect relatives who are still in

Cuba, had managed to obtain a miniature Japanese camera from a woman visitor to the Principe Prison. For two days he took pictures of the Castro jail that had become famous and infamous. Then he destroyed the camera, hid his film in the hollowed-out heels of a pair of loafers—and waited.



**CAGED MEN'S VISTA.** Through the bars unhappy men saw dismal inner courtyard where they were sentenced.

**EXERCISE PEN.** Prisoners idled out their days in patio to escape the stifling confinement of their general cell.

**CROWDED BARRACKS.** Men slept inches apart in bullpen cell, which was kept lighted from dusk to sunrise.



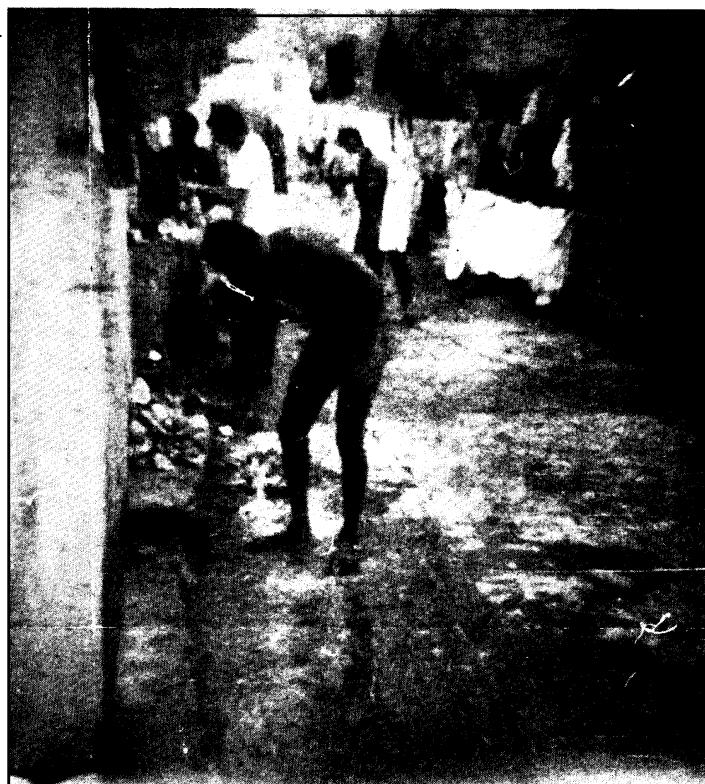


**CHOW LINE.** Here the men line up for meal that usually consisted of spaghetti and beans. As Castro needed the prisoners as a ransom bait, he

evidently resisted any temptation to let them starve. After eight months prisoners were permitted to augment diet with purchases of sugar.



**MAKESHIFT TENTS.** Prisoners were allowed to move into the patio separating their cellblock from the area where common criminals were



**HIS TURN TO BATHE.** Naked prisoner prepares to enter compound's single shower. Men were afflicted with epidemics of hepatitis and dysentery.

**VERMIN HUNT.** Captives check bedding for lice. After release of 60 wounded men last fall, remaining prisoners were confined to their barracks.



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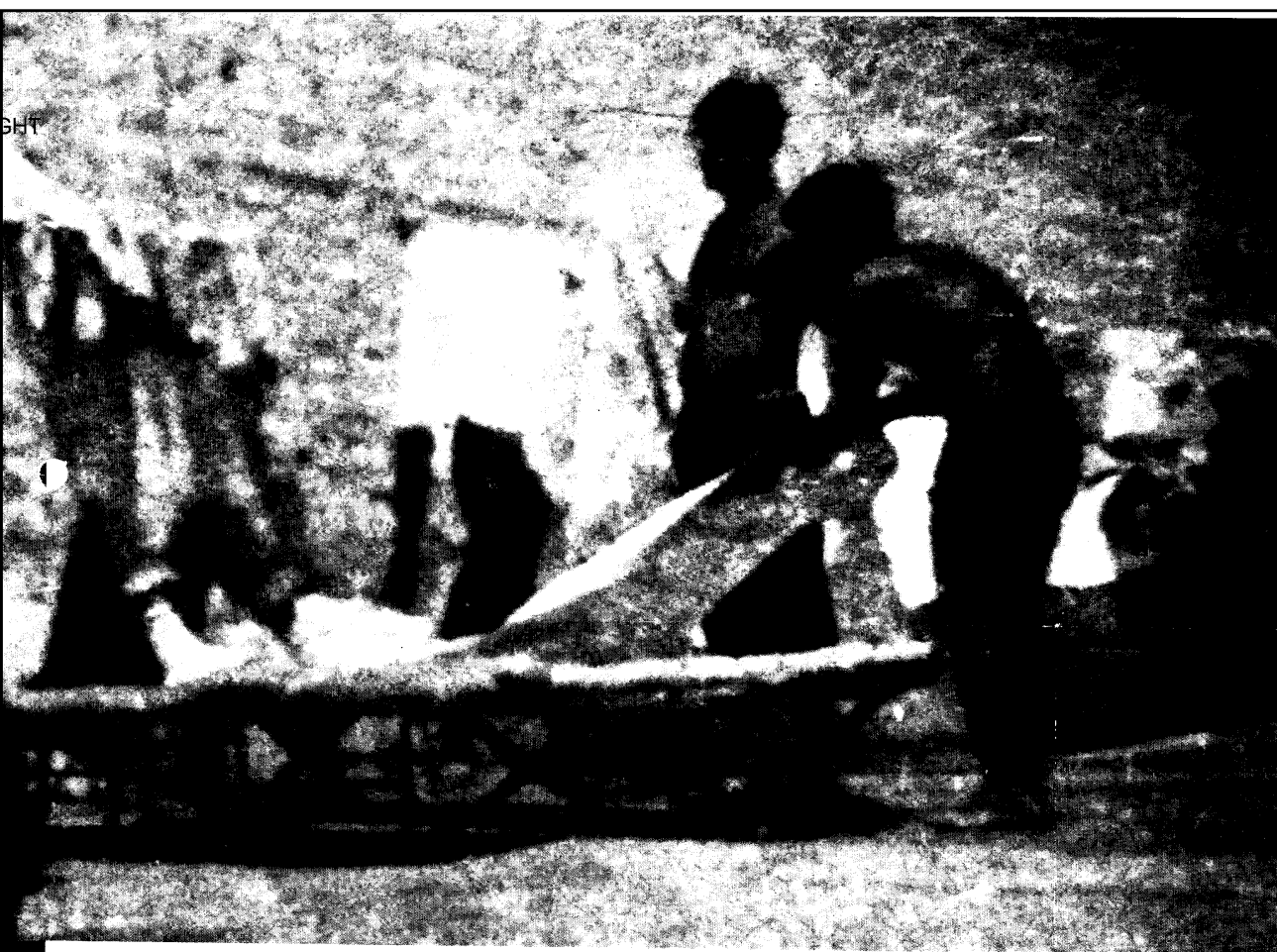


confined. There they rigged shelters against tropical sun with their blankets. But in rainy season they were forced to return to steaming barracks.

**SELF-IMPOSED SANITATION** Prisoner cleans mess kit in courtyard at Principe Prison. Through 20-month ordeal, men maintained orderly mili-

tary discipline, surreptitiously studied smuggled books, tried to keep reasonable sanitation under filthy conditions. Remarkably, only one man died.

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by **WARREN  
YOUNG**

# Door to Freedom: a Quiet Lawyer's Eloquent Patience

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The locks of Fidel Castro's prisons were opened by four tedious months of hard-nosed bargaining by James B. Donovan, a 46-year-old lawyer from Brooklyn. The achievement, which was quickly praised by President Kennedy, will not be overlooked by history. And now the key details of what went on behind the scenes during those four months can be revealed.

The pattern of the negotiations was largely shaped by the personalities of Donovan and Castro. The Cuban premier's great ego, his deep distrust of the U.S. and his compulsion to indulge in endless and violent harangues are well known. Jim Donovan's skill as a negotiator was first dramatically revealed to the public when he traded the Russian spy, Colonel Rudolph Abel, for U-2 pilot Francis Gary Powers and student Frederic Pryor (LIFE, Feb. 23, 1962). A new term, "metadiplomacy"—meaning literally "beyond diplomacy"—had to be coined by Fordham University to describe Donovan's unique, extragovernmental accomplishments when it granted him an honorary LL.D. To be a "metadiplomat" demonstrably demands a rare blend of qualities. Donovan is tough and stubborn, and he is given to quiet eloquence on such subjects as human rights and justice—as he showed during Abel's trial in his court-appointed role as defense attorney. His mastery of arid expanses of fine print years ago made him one of the country's top insurance lawyers. He is fascinated by the techniques of international intrigue. He has a penchant for sword-canes and umbrellas with .32 pistols concealed in the handle—an interest dating back to his twenties when, as chief wartime counsel for the OSS, he pushed through the idea for the atrocity films used as visual evidence at the Nuremberg trials. "He has a quiet flair," says Author Budd Schulberg, who worked for Donovan on the war crimes documentaries. "If you met him in his line of law practice, you might think him a thoroughly plodding lawyer. But he's not. He has ideas."

Donovan was brought into the efforts to release the Bay of Pigs brigade last June, after Attorney General Robert Kennedy suggested him to the Cuban Families Committee for the Liberation of Prisoners of War. Until that point the committee had little hope of actually concluding a ransom deal. Castro was simply asking too much—first, 500 heavy bulldozers, then \$62 million in American cash.

On Aug. 30, accompanied by Families Committee leaders Alvaro Sanchez and Ernesto Freyre, Donovan made his first trip to Havana. The three men were taken to a run-down \$300,000 villa, with marble floors and

mural-covered walls, which one of them described as looking "as if it came right out of a Grade B movie extravaganza." This was the home of racetrack official Jesus de los Heros, whose wife, Mrs. Berta Barreto de los Heros, was to become the fourth member of the team.

Next day the first confrontation was arranged. The four were ushered into the huge ministers' hall at the presidential palace. There Castro was waiting for them, sitting at a long table—alone. Donovan presented his position simply. He was not authorized to speak for the U.S. government on any matter. He was simply representing the Families Committee as a private lawyer. Donovan proposed a payment in food and other necessities, not cash, as a gift from the American people to the Cuban people. Castro and Donovan debated this proposal for the next four hours.

The following day the four were invited to an informal meeting in the apartment of one of Castro's ministers. Castro arrived, sat down in a great leather chair and ordered coffee and lemonade for his visitors. Obviously making an effort to put his visitors at ease, Castro expounded his views on real estate (Americans pay too much when they condemn land for public use) and on education. When the bearded premier had finished, Donovan gave him a short lecture on the virtues of brevity. "We all talk too much," he said. "We were once involved in litigation over a collision of two ships in New York harbor. Counsel for the other side filed an enormous brief recounting dozens of reasons why their captain had not been negligent. The lawyer for our side filed merely a single question: 'But why didn't he blow the whistle?' We won." Castro seemed greatly amused.

**W**ith amiable contact established, and the switch from strictly cash to commodities understood, Donovan returned to New York after three days, having asked Castro to draw up a list of the necessities he wanted. Three weeks later the list arrived, along with crates of samples of such items as clothing and hides for shoe leather, which were sent to establish the kind and quality desired. When Donovan studied the possibilities of meeting the demand, he found it would fill 68 ships. Not only did this pose an enormous logistical problem, it bulked too large to be acceptable to the American public.

On Oct. 2 Donovan, who was now in the midst of what would prove to be an unsuccessful New York race for a seat in the U.S. Senate, flew back to Havana to join the committee members, who had stayed in Havana

under virtual house arrest. They had been filling the long hours and weeks by listening in shifts to shortwave U.S. radio newscasts. The rest of the time they prowled the guard-ringed gardens of the villa and played dominoes. Alvaro Sanchez decided he was becoming the best domino player in the world, a harmless belief that was

mand. Although Donovan technically was working—without fee—for the Families Committee, his clients themselves had insisted upon what Donovan calls "an unusual lawyer-client relationship"—he was not to tell them in advance of any of his bargaining moves. Since they all had relatives in prison, they did not trust their own



**REUNION.** Weeping boy joins well-comers in Florida. Prisoners vowed to go back some day to liquidate Castro.

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shattered when Donovan arrived. Sanchez and Freyre taught Donovan the game and in his first match the lawyer beat them both. Soon he was able to win consistently even with his dominoes face up on the table.

That night Donovan was treated to an impassioned oration by Cuba's leading TV commentator, a Chinese Communist, who claimed that the lawyer was serving as a decoy for a "Kennedy invasion." The reason: a group of counterrevolutionists called Alpha 66 (LIFE, Nov. 16) had just shelled the Cuban shoreline from a small boat.

Next day the team went once more to the palace to see Castro, to present a counteroffer to the 68-shipload de-

determination to drive a hard deal.

Donovan presented his new proposal: drugs instead of food. He then handed Castro books listing the drugs and their prices of two U.S. firms, Pfizer and Merck Sharp & Dohme. He pointed out that though the food shipments could not be arranged, he had not come empty-handed. Two Cuban officials tried to argue that certain drugs could be obtained more cheaply in Italy and demanded pro-

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**BLOTCHED PHOTO.** Hidden film was damaged in shoe of prisoner. Sun-bathing, concerts with instruments made from broken Coke bottles and cigar boxes were diversions.

# **PRISONERS** CPYRGHT

proportionately greater quantities. Donovan spoke to Castro bluntly: "Don't pay any attention to these men. There is only one market for your prisoners—and I'm it." He pointed to his wristwatch. He had, he said, purchased the watch in Switzerland. Certainly it would cost a great deal more in New York but, he pointed out, to him the watch was the same valuable timepiece either way. He also reminded Castro that a drink of water could be worth a fortune to a man lost in a desert. "I'll tell you frankly," says Ernesto Freyre, "many times, as a prisoner's father, I thought he was being too strong and that Castro would end all negotiations. But without him we would be nowhere."

More meetings followed to discuss the drug proposal. Whenever Castro showed signs of launching into a long speech, Donovan interrupted. Through committee chairman Alvaro Sanchez, once a wealthy rancher, who acted as the interpreter, he would ask for an exact translation, thus blocking Castro's tendency to become hypnotized by the sound of his own voice.

For the next meeting Castro sent a captain of the secret police to pick up Donovan alone. In a late-model blue Oldsmobile they roared along the highway at close to 100 mph. Donovan had no idea where he was being taken. But soon they came to a deserted villa at Varadero Beach. There was Castro, waiting, and he was polite to Donovan as usual.

**A**ll during this first October trip Donovan had good personal reason to know that Castro's Cuba badly needed medicines. When he arrived, Donovan was suffering from an extremely painful attack of bursitis. Its effect upon him was so great that the three committee members feared he could not continue. Thinking to help him, they called a local doctor, who dispensed some pain-killer—to be injected every four hours. So Jesus de los Heros, who holds a law degree and is, therefore, by Cuban custom entitled to be called "Doctor," volunteered to wield the needle. De los Heros' only medical experience was a knowledge of how racehorses are treated, and Donovan at first took some pleasure in joking about his "horse doctor." But something was wrong with the treatment; it was poisoning Donovan. He had to be flown back to Miami. There, using an assumed name, Donovan was examined by a physician, who told the lawyer to stop serving as a human pincushion and gave him an antibiotic. He also directed Donovan to go to the hospital, but the lawyer refused. "If you go back to your work, whatever that is, I'll not be responsible," the doctor warned him. Donovan flew back to Havana.

Upon his arrival he used his bursitis to practice a simple deception on Castro. While Donovan had plenty of patience left for the negotiations, he was disgruntled about the food that reached the villa. Yet he did not want to offend Castro by complaining. At one meal all that sat before him was a cold, grease-covered chicken leg, so Donovan put in a telephone

call to the U.S., well knowing that his line was tapped. "You know what I forgot to bring with me?" he casually asked his contact at the other end of the wire. "That special diet the doctor prescribed for my bursitis."

"Oh, yes, your bursitis diet," the man replied, falling in with the plot. "By the way, what was in that diet?"

"Imported Swiss cheese, sliced ham, kosher pickles, salami, bologna and liverwurst," said Donovan. "Can you send it with the Pan Am pilot?"

"Yes, and that's a good diet. You ought to stick to it."

"That's for sure," Donovan muttered.

Next day the guards marched in with a large shipment of delicatessen foods and announced, "Dr. Donovan's medical diet has arrived."

The food was better, but the tension was mounting. Donovan had thought with him hard assurances of support if he could close his deal. Pan American was holding seven airplanes in New York and Miami for the airlift, the Red Cross was ready with ambulances and hospital beds, and Donovan had sizable commitments from the two drug companies to back up his offers. But the approaching crisis over Soviet missiles in Cuba was souring the atmosphere in Havana.

After two days of waiting Donovan's team was summoned, on Oct. 10 at midnight, to an angry confrontation at the palace. Castro and his ministers took turns vilifying America. Donovan quietly reminded Castro that his presence was solely related to the "people-to-people" exchange of prisoners and medicines. Castro left himself a loophole by crying that he would not even consider closing the bargain with any American except Donovan—"because I like you." But it was clear that the deal could not be consummated at that time.

The following day, without going to see Castro again, Donovan left a message for him: when Castro decided which drugs he needed and was really ready to trade, he should let Donovan know. With that, Donovan flew back to New York, trembling with bursitis pain and virtually voiceless from laryngitis. Three days later a new list arrived from Castro.

All during the October missile crisis and Mikoyan's 3½ weeks in Havana, the three members of the committee occupied themselves in the villa with the radio and the dominoes. Then, late in November, Castro delivered a newly revised list of drugs and baby foods, and the residents of the villa flew with it to New York.

Now the final preparations began in earnest. The Pharmaceutical Manufacturers Association helped solicit additional donations from dozens of drug firms. The Red Cross arranged to transport them by ship and plane, and once again prepared to take care of any sick prisoners. The drug firms were formally assured by the Administration that their donations of drugs

to the Red Cross would be deductible, that they would not be prosecuted under the anti-trust act for comparing prices in this instance and that they would not be prosecuted for shipping to an embargoed country. A \$53 million performance bond, guaranteeing cash to Castro if all the promised drugs failed to arrive, was provided with no premium charge by an old Donovan friend, a high official of the America Fore insurance company. The multimillion-dollar deal was closed in a matter of minutes when the two friends signed the hand-written agreement.

**O**n Dec. 17 Donovan, Sanchez and Mrs. Barreto de los Heros returned to Havana for the final round of trading. After two days Donovan again made a one-day round trip to Miami and back in order to make sure everything was in readiness. And this time he took with him to Havana Dr. Leonard Scheele, former U.S. Surgeon General and now head of the Warner-Chilcott Laboratories, to help reassure Castro that certain substitutions in the drug lists were for good and proper cause—some drugs on Castro's list were obsolete. At last Castro and Donovan executed a formal agreement, drafted by Donovan and slightly amended by the premier.

"You know," said Castro smiling. "I, too, am a lawyer."

To which Donovan replied, "No comment."

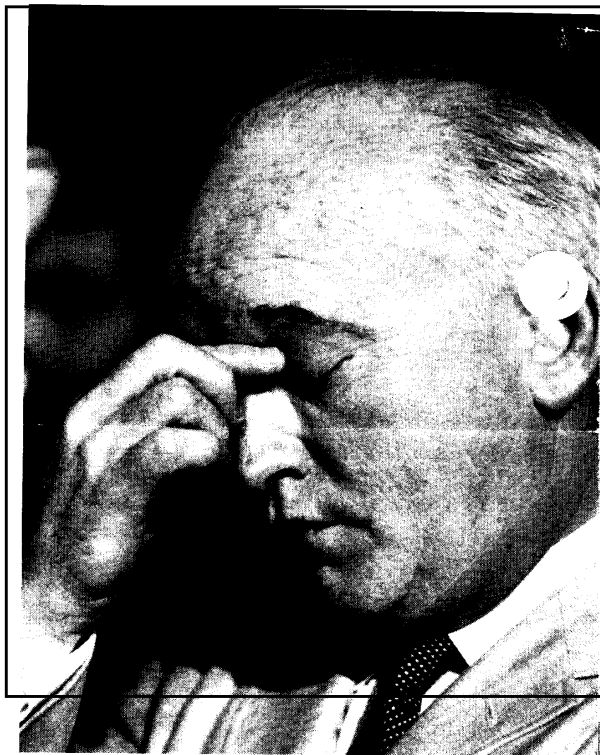
On Sunday, Dec. 23, the Red Cross, as promised, delivered to Havana 20% of the total commitment. Most of it was aboard the vessel *African Pilot* which, with hatches battened, awaited the promised release of the prisoners. As the day went on it

became apparent that both sides were still involved in a waiting game. Castro said he would turn the prisoners loose at 5 p.m. if the ship started to unload. At this point Donovan made another decision. So far, Castro had always kept his word, once given. So Donovan flashed the go-ahead signal to unload the boat. Castro boarded the ship to have his picture taken with its captain, exhorted the dockworkers to hurry and the unloading began.

Castro began releasing the prisoners but only 426 of them at first. Next morning he released 217 more. Then he called a halt to press an old agreement. He pointed out that he had never been paid \$2,925,000 promised by the Families Committee last April when 60 wounded men were conditionally released. He asked that this amount be paid in cash before he released the last of the prisoners, who included the leaders. By Monday afternoon, Dec. 24, the sum was pledged, due in large part to phone calls hurriedly placed by Robert Kennedy and General Clay. Then Castro, satisfied at last, permitted the rest of the prisoners to be packed onto the planes, and even agreed to Donovan's bonus request that 1,000 relatives of the freed prisoners go to American exile aboard the *African Pilot*.

After the last prisoner landed in Miami the final passenger came wearily down the steps. It was James Donovan, looking at least as drawn as the prisoners, his hand still twitching from the bursitis pain, his eyes slightly glazed like a man who has not slept for months, but still one of the best domino players in the world.

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**NEGOTIATOR.** James B. Donovan fights a zombie-like fatigue on arrival at Homestead Air Force Base with released Cubans. Donovan will continue to bargain for return of 23 U.S. prisoners still held in Castro's jails.